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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JUN - 3 2004

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTINE K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA DEPARTMENT OF  
TRANSPORTATION TO UPGRADE A  
CROSSING OF THE UNION PACIFIC  
RAILROAD AT BROADWAY ROAD, IN THE  
CITY OF MESA, MARICOPA COUNTY,  
ARIZONA, AAR/DOT NO. 741-657-Y.

DOCKET NO. RR-03639A-04-0381

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On May 20, 2004, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Union Pacific Railroad ("Railroad") to upgrade a crossing at Broadway Road in Mesa, Arizona at AAR/DOT No. 741-657-Y.

IT IS THEREFORE ORDERED that the request of the Arizona Department of Transportation shall be considered an application for the Railroad to construct a new public railroad crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.


IT IS FURTHER ORDERED that the hearing on the application shall be held on June 24, 2004 at 2:00 p.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Mesa and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

...

1 IT IS FURTHER ORDERED that the ARIZONA DEPARTMENT OF  
2 TRANSPORTATION SHALL FILE WITH THE COMMISSION'S DOCKET CONTROL AN  
3 ORIGINAL AND THIRTEEN (13) COPIES OF PROOF OF COMPLIANCE with this  
4 Procedural Order concurrently with the mailing of notice ordered herein.

5 DATED this 3<sup>rd</sup> day of June, 2004

6  
7  
8   
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 3 day of June, 2004 to:

11 John Syers  
12 Railroad Engineering Coordinator  
13 Arizona Department of Transportation  
14 205 S. 17<sup>th</sup> Avenue, Mail Drop 618E  
15 Phoenix, AZ 85007

16 David Gibson  
17 Arizona Department of Transportation  
18 Traffic Records Section  
19 206 S. 17th Avenue, Mail Drop 064R  
20 Phoenix, AZ 85007


21 Freddy Chung  
22 UNION PACIFIC RAILROAD COMPANY  
23 19100 Slover Avenue  
24 Bloomington, California 92316

25 Christopher Kempley, Chief Counsel  
26 Legal Division  
27 ARIZONA CORPORATION COMMISSION  
28 1200 West Washington Street  
Phoenix, Arizona 85007

Ernest Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 North Third Street, Ste. Three  
Phoenix, AZ 85004-1103

By:

  
Molly Johnson  
Secretary to Marc Stern